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February 12, 2021

VIA ECF

The Honorable Joseph F. Bianco
Visiting Circuit Judge (sitting by designation in below referenced matter)
U.S. Court of Appeals for the Second Circuit
100 Federal Plaza
Central Islip, New York 11722

Re: **United States of America v. Kenner, Cr. No. 13-607 (JFB)**

Dear Judge Bianco,

As directed by the Court during the January 29, 2021 hearing, we write on behalf Danske Bank A/S London Branch ("Danske") to provide a status update related to Danske's settlement negotiations with the Government and counsel for third parties, Owen Nolan and CSL Properties.

Since January 29, 2021, Danske, the Government and counsel for Owen Nolan and CSL Properties have engaged in encouraging settlement negotiations and continue to negotiate in good faith to resolve this matter. The parties have outlined a basic structure for distribution of proceeds upon an interlocutory sale of the Diamante Cabo Resort property, however, there are still a few terms related to effectuating the sale of the property in Mexico that need to be finalized. Given these on-going discussions, the parties request that the Court schedule a status conference the week of February 22, 2021 in order to discuss any remaining issues related to the settlement with the Court. If the parties are able to reach resolution of these remaining issues prior to the scheduled Court conference, we will inform the Court that the parties have reached an agreement.

The Government and Ms. Seetha Ramachandran, counsel for Owen Nolan and Mr. Steven Main, counsel for CSL Properties, agree to this proposed schedule.



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We thank the Court for its time and attention to this matter.

Respectfully,

/s/ George Kostolampros

George Kostolampros
Doreen S. Martin
Xochitl S. Strohbehn

cc: All parties of record via ECF